



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jin et al. Docket No.: 39766-0068A2D1
Serial No.: 09/715,739 Group Art Unit: 1647
Filing Date: November 16, 2000 Examiner: Landsman, Robert S
For: **EFFECTS OF IFN-γ ON CARDIAC HYPERTROPHY**

TERMINAL DISCLAIMER UNDER 37 CFR § 1.321(c)

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

1. The owner, Genentech, Inc., having a principal place of business at 1 DNA Way, South San Francisco, California 94080, represents that it is the owner of the entire right, title and interest in the invention disclosed and claimed in the above-identified patent application, and is also the owner of the entire right, title and interest in the invention disclosed in U.S. Patent No. 6,187,304.

Genentech, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,187,304. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application, and is binding upon the grantee, its successors or assigns.

CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited on April 11, 2003 with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as Express Mail No. ELV165101125US addressed to: Box Fee Amendment, Commissioner for Patents, Washington, D.C. 20231

Date: April 11, 2003

Cheryl Ann Rogers
Cheryl Ann Rogers

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer. In the event that it later is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole, or terminally disclaimed under 37 C.F.R. 1.321; has all claims canceled by a re-examination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

2. For submission on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

3. I hereby declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issued thereon.

4. The undersigned is an attorney of record.

5. The Commissioner is authorized to charge any fees, including any fees for extension of time, or credit overpayment to Deposit Account No. 08-1641 (Attorney Docket No.: 39766-0068A2D1). A duplicate copy of the transmittal letter accompanying the present Terminal Disclaimer is enclosed.

Respectfully submitted,

Date: April 11, 2003


Ginger R. Dreger
Reg. No. 33,055

HELLER EHRMAN WHITE & McAULIFFE LLP
Customer No. 25213
275 Middlefield Road
Menlo Park, California 94025
Telephone: (650) 324-7000
Facsimile: (650) 324-0638